

## REMARKS

Reconsideration and allowance of the above-reference application are respectfully requested. Claims 1, 35, 40, 43, and 59 are amended. Claims 1-76 are pending in the application.

Claims 1, 6-12, 14, 35-36, 38-43, 48-54, 56, 59, 64-70 and 72 stand rejected under 35 USC §103 in view of U.S. Patent No. 6,625,460 to Patil and U.S. Patent No. 6,263, 212 to Ross et al. This rejection is respectfully traversed.

As admitted in the Official Action, Patil does not disclose or suggest (1) accessing a subscriber directory according to an open network protocol, for subscriber attribute information based on the received SMS message, or (2) supplying a common format message to a selected destination according to a selected access protocol based on the subscriber attribute information.

Further, Patil does not disclose or suggest “generating, based on the subscriber attribute information, at least one common format message based on *enclosing* the SMS message *into the common format message*, as claimed. As described in the specification, the generation of a common format message that includes (encloses) the SMS message enables the SMS message to be sent to a destination according to any subscriber-selected protocol, for example as an e-mail message, a fax message, a voice message using text to speech resources, etc.: the e-mail message can even be sent to a destination SMSC in a manner that bypasses existing SMPP links (see page 6, lines 18-21), or accessed by an SMS module to extract the stored SMS message without the need for conversion between other message types (e.g., e-mail to SMS)(see page 9, lines 6-10).

Patil teaches away from the claimed *enclosing* the SMS message into the common format message by converting the SMS message into a different format message. For example, Fig. 5 and the accompanying description at col. 7, lines 52-63 describes that an incoming message is parsed to obtain user text to assemble the outgoing message (steps 5C through 5F); alternately, information from content providers may be retrieved and assembled for an outgoing message (steps 5G through 5O) (see col. 8, lines 2-38).

Ross et al. describes an SMSC that assigns a market segment identification to its service users allowing differentiation within each class of service, where each market segment ID has a set of associated service characteristics (see, e.g., col. 3, lines 1-36). The SMSC also accomodates different networks having varying lengths of short messages (see, e.g., col. 2, line 57 to col. 3, line 2) by converting a short message into the appropriate format before sending the message (see, e.g., col. 3, lines 53-59).

Hence, neither Patil nor Ross et al. disclose or suggest, singly or in combination, *enclosing* the SMS message into the common format message, as claimed.

For these and other reasons, the rejection of claims 1, 6-12, 14, 35-36, 38-43, 48-54, 56, 59, 64-70 and 72 should be withdrawn.

The rejection of claims 2-5, 20-21, 44-47 and 60-63 under §103 in view of Patil, Ross and U.S. Patent No. 5,802,314 to Tullis et al is respectfully traversed.

Tullis et al. is directed to office equipment configured for processing multimedia messages (e.g., image, audio, text, etc. mixed in a single message) (col. 1, lines 20-48), and is not within the field of the inventors' endeavor, namely providing a unified messaging system

configured for supplying messages to a subscriber, independent of message format; further, Tullis et al. is not reasonably pertinent to the particular problem with which the inventors were involved, namely providing SMS messages to non-SMS device destinations. Tullis et al. provides no disclosure or suggestion of storing the common format message in a subscriber message store in a messaging folder selected based on the subscriber attribute information retrieved from a subscriber directory according to an open network protocol, and as such is non-analogous art. In re Wood, 202 USPQ 171, 174 (CCPA 1979).

Further, the hypothetical combination would neither disclose nor suggest storing the common format message at a selected location based on the subscriber attribute information retrieved from the subscriber directory according to the open network protocol, as claimed.

For these and other reasons, the §103 rejection of dependent claims 2-5, 20-21, 44-47, and 60-63 should be withdrawn.

The rejection of claims 15-16, 57-58, and 73-74 in view of Patill, Ross and U.S. Patent No. 6,185,288 to Wong is respectfully traversed.

Wong is directed to call setup procedures (i.e., signaling) during initiating of a calls such as voice calls, fax calls, video calls, conference calls, etc. (col. 1, lines 5-46), and is not within the field of the inventors' endeavor, namely providing a unified messaging system configured for supplying messages to a subscriber, independent of message format; further, Wong is not reasonably pertinent to the particular problem with which the inventors were involved, namely providing SMS messages to non-SMS device destinations. Wong provides no disclosure or suggestion of enclosing an SMS message into the claimed common format message, but rather

discloses sending a call setup message as a MIME encoded e-mail message between a calling agent and a called agent (as opposed to the claimed destination). Hence, Wong is non-analogous art. In re Wood, 202 USPQ 171, 174 (CCPA 1979).

Hence, it is believed these dependent claims 15-16, 57-58, and 73-74 are allowable in view of the foregoing.

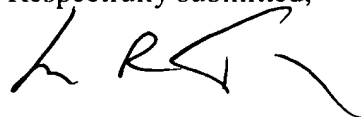
The indication of allowable subject matter in claims 13, 37, 55 and 71 is acknowledged. It is believed these claims are allowable in view of the foregoing.

The allowance of claims 17-34 and 75-76 is acknowledged with appreciation.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-455, and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L R Turkevich', with a long horizontal flourish extending to the right.

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